

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

RONALD DALE BURSTON, JR.,)
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Plaintiff,)
)
v.) No. 1:11CV221 HEA
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MISSOURI DEPT. OF CORR., et al.,)
)
)
Defendants.)

OPINION, MEMORANDUM AND ORDER

Before the Court is plaintiff's motion for an extension of time to pay the initial partial filing fee.

Plaintiff filed this action pursuant to 42 U.S.C. § 1983 alleging violations of his civil rights. On January 18, 2012, the Court granted plaintiff's motion for leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915, and assessed plaintiff an initial partial filing fee of \$28.67, based on a review of the funds in his prison account. Pursuant to the January 18, 2012 Memorandum and Order, plaintiff has until February 18, 2012, to make the initial payment from his account, and after that time, additional funds will be taken from his account until the full filing fee of \$350 is paid.

Plaintiff seeks a "waiver" of the filing fee until the conclusion of this action, citing his family's general lack of funds, as well as his need to eventually pay

someone to assist him in working on his case. Plaintiff has not, however, provided any detailed information as to why he is currently unable to pay the funds from his prison account at this time or how the Court was incorrect in calculating the initial filing fee.

Although plaintiff can be granted an extension of time to pay the funds, he is required, like all prisoners seeking to proceed under § 1915, to pay the full filing fee. See 28 U.S.C. § 1915. As such, the Court will deny plaintiff's request to defer payment of the initial partial filing fee until the conclusion of the action, but the Court will grant plaintiff a sixty (60) day extension to pay the initial partial filing fee.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for extension of time to pay the filing fee [#7] is **GRANTED IN PART**. Plaintiff shall pay an initial filing fee of **\$28.67**, in accordance with the instructions set forth in the January 18, 2012 Memorandum and Order, no later than **April 16, 2012**.

Dated this 15th day of February, 2012.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE